

ORDINANCE NO. 229 N.S.

ZONING ORDINANCE

STATE OF CALIFORNIA, ADOPTING A ZONING PLAN BEING A PRECISED SECTION OF THE LAND USE PLAN UNIT OF THE MASTER PLAN AND AN OFFICIAL PLAN OF SAID CITY: SPECIFYING THE PURPOSES AND EFFECTS OF THE ADOPTION OF SAID PLAN WHEREBY VARIOUS DISTRICTS ARE ESTABLISHED IN SAID CITY: SPECIFYING THE USES OF LAND AND OF BUILDINGS PERMITTED IN SAID DISTRICTS: ESTABLISHING CERTAIN HEIGHT LIMITS WITHIN SAID DISTRICTS: REQUIRING CERTAIN YARDS AND OTHER OPEN SPACES WITHIN SAID DISTRICTS: PRESCRIBING FOR THE ERECTION, CONSTRUCTION, ALTERATION AND MAINTENANCE OF BUILDINGS, STRUCTURES, AND OTHER IMPROVEMENTS IN SAID DISTRICTS, INCLUDING THE REQUIREMENT THAT CERTAIN PERMITS SHALL BE SECURED FOR CERTAIN OF SUCH BUILDINGS, STRUCTURES AND IMPROVEMENTS, AND FOR USE THEREOF AND OF LAND: DEFINING THE TERMS USED HEREIN: SPECIFYING THE PROCEDURE FOR THE AMENDMENT HEREOF: REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH: AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ANY OF THE PROVISIONS HEREIN.

The Council of the City of El Paso de Robles do ordain:

SECTION 1.

ADOPTION OF ZONING PLAN AS PRECISE PLAN.

1.1 ADOPTION: There is hereby adopted a zoning plan for the City of El Paso de Robles, State of California, said zoning plan being a Districting Plan as provided by law.

SECTION 2.

PURPOSE OF ADOPTION OF ZONING PLAN.

2.1 The purpose of this ordinance is to promote the growth of the City of El Paso de Robles in an orderly manner and to promote and protect the public health, safety, comfort and general welfare.

2.2 The Zoning or Districting Plan effectuated by this ordinance is part of the Master Plan and consists of the establishment of various districts, including all the territory within the boundaries of the City within which the use of land and buildings, the space of buildings and the height and bulk of buildings are regulated.

*Repealed by
Ord. No. 405*

7.52 The Planning Commission may impose such condition, in connection with the use permit, as it deems necessary to secure the purposes of this ordinance, and may require guarantees and evidence that such conditions are being, or will be complied with.

7.6 APPEAL:

7.61 In case the applicant or any interested party is not satisfied with the action of the Planning Commission, he may within five (5) days appeal in writing to the City Council.

7.62 The City Council shall set date for public hearing and shall post notices as set forth in Section 7.42. Notice shall also be given to the Planning Commission of such appeal and the Planning Commission may submit a report to the City Council, setting forth the reasons for action taken by the Commission, and may be represented at the hearing.

7.63 The City Council shall render its decision within ninety (90) days after the filing of such appeal.

7.71 No building or zoning permit shall be issued in any case where a use permit is required by the terms of this ordinance until five (5) days after the granting of such use permit by the Planning Commission, or after granting of such use permit by the City Council in the event of appeal and then only in accordance with the terms and conditions of the use permit granted.

7.8 VARIANCE AND APPEALS:

7.81 Where practical difficulties, unnecessary hardships and results inconsistent with the general purpose of this ordinance may result from the strict application of certain provisions thereof, variance may be granted as provided in this section, provided this procedure may not be used to change the use of land.

7.9 APPLICATION:

7.91 Application for variance shall be made in writing on a form prescribed by the Planning Commission and shall be accompanied by a fee of twenty-five (\$25.00) and statement, plans and evidence showing all of the following conditions:

7.911 That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use

referred to in the application, which circumstances or conditions do not apply generally to land, building and/or uses in the same district.

7.912 That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner.

7.913 That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

8. PUBLIC HEARING

8.1 A public hearing shall be held within forty-five (45) days after filing of application. Notice of said hearing shall be given by mailing a postal card notice at least five (5) days prior to such hearing to the owners of property within a radius of 300 feet of the property of the applicant, as said owners are shown on the last equalized assessment roll in the office of the City Assessor. Failure of any property owner to receive such notice shall not affect the validity if the hearing.

8.2 ACTION BY COMMISSION:

8.21 After the conclusion of the public hearing the Planning Commission may grant variance permits to modify the application of particular restrictions established by the provisions of this ordinance where unnecessary hardships or practical difficulties and results inconsistent with the purposes of this ordinance will result from the strict application of such restrictions; provided, however, no variance be granted to allow any land use which is not in conformity with the use regulations specified for the district in which the land is located.

8.3 APPEAL TO CITY COUNCIL:

Within Five (5) days after the final action of the Planning Commission upon such application, the applicant, or other affected persons, may file with the Clerk of the Council of the City an appeal from such action. The appeal shall be in writing and shall

state the reasons for which the appeal is taken. The City Council shall cause a public hearing to be held thereon and shall give notice thereof as provided in Section 8.1. Notice of such hearing shall also be given the Planning Commission. Upon receipt of such notice and five (5) days prior to the time set for the hearing, the Planning Commission shall furnish the City Council the written record of the application, including all written evidence received by the Planning Commission, and a report of its action thereon. The City Council may affirm, modify or reverse the action of the Planning Commission, or may refer the matter back with or without instructions to the Planning Commission for further proceedings. In the event the City Council fails to act upon the appeal within sixty (60) days after the filing thereof, the action of the Planning Commission shall be deemed affirmed. The decision of the City Council upon the appeal shall be final and conclusive as to all things involved in the matter.

8.31 EFFECT:

No building or zoning permit shall be issued upon a variance permit until five (5) days after the granting of such variance by the Planning Commission, or in the event of an appeal within said five (5) day period, until said appeal is finally concluded. No building or zoning permit shall be issued except in accordance with and subject to the terms and conditions of the variance granted.

8.4 APPEALS:

8.41 The Planning Commission shall have the power to hear and decide appeals based on the enforcement or interpretation of the provisions of this ordinance.

8.42 In case an applicant is not satisfied with the action of the Planning Commission on his appeal, he may within fifteen (15) days appeal in writing to the City Council.

8.43 Notice shall be given to the Planning Commission of such appeal and a report shall be submitted by the City Council setting forth the reasons for action taken by the Commission, or shall be represented at the Council meeting.

8.44 The City Council shall render its decision within thirty (30) days after the filing of such appeal.

8.5 REVOCATION OF PERMITS OR VARIANCES:

8.51 Any zoning permit, use permit, or variance granted in accordance with the terms of this ordinance shall be revoked if not used within one (1) year from date of approval.

8.52 Any zoning permit, use permit, or variance granted in accordance with the terms of this ordinance may be revoked if any of the conditions or terms of such permit or variance are violated, or if any law or ordinance is violated in connection therewith.

8.53 The Planning Commission shall hold a hearing on any proposed revocation after giving written notice to the permittee at least ten (10) days prior to the hearing and shall submit its recommendations to the City Council. The City Council shall act thereon within thirty (30) days after receipt of the recommendations of the Planning Commission.

8.6 AMENDMENTS:

This ordinance may be amended by changing the boundaries of districts, or by changing any other provision thereof whenever the public necessity and convenience and the general welfare require such amendment by following the procedure of this section:

8.7 INITIATION:

8.71 An Amendment may be initiated by:

The verified petition of one or more property affected by the proposed amendment, which petition shall be filed with the Planning Commission and shall be accompanied by a fee of fifty dollars (\$50.00), or

8.72 Resolution of Intention of the City Council, or by

8.73 Resolution of Intention of the Planning Commission.

8.8 PUBLIC HEARINGS:

8.81 The Planning Commission shall hold one (1) public hearing on any proposed amendment and shall give notice thereof by at least one publication in a newspaper of general circulation within the City at least ten (10) days prior to such hearing.

8.82 In case the proposed amendment consists of a change of the boundaries of any district so as to reclassify property from any district to any other district, the Planning Commission shall give additional notice of the time and place of such hearing and of the purpose thereof by mailing a postal card notice not less than five (5) days prior to the date of the first of such hearings to the owners of property within a radius of three hundred (300) feet of the exterior boundaries of the property to be changed, using for this purpose the last known name and address of such owners as shown upon the assessment roll of this County.

Such notice shall contain a statement setting forth a general description of the property involved in the proposed change of district, the time and place at which the public hearing on the proposed change will be held, and any other information which the Planning Commission may deem to be necessary.

8.83 Any failure to post public notices as aforesaid shall not invalidate any proceedings for amendment of this Zoning Ordinance.

8.9 ACTION BY PLANNING COMMISSION:

Following the aforesaid hearings the Planning Commission shall make a report of its findings and recommendations with respect to the proposed amendment, and shall file with the City Council an attested copy of such report within ninety (90) days after the notice of the first of said hearings; provided that such time limit may be extended upon the mutual agreement of the parties having an interest in the proceedings.

9.1 ACTION BY CITY COUNCIL:

9.11 Upon receipt of such report from the Planning, the City Council shall set the matter for public hearing after notice thereof and of the proposed amendment given as provided by law. After the conclusion of such hearing the City Council may adopt the amendment or any part thereof set forth in the petition in such form as said Council may deem to be advisable.

9.12 The decision of the City Council shall be rendered within sixty (60) days after the receipt of a report and recommendations from the Planning Commission.

9.2 The building official shall not issue any building permit for the construction of any building, structure, facility or alteration, the construction of which, or the proposed use of which, would constitute a violation of this ordinance.

SECTION 10

DEFINITIONS

10.1 For the purpose of this ordinance certain terms used herein are defined as follows:

10.11 "ALLEY" Any public thoroughfare which affords only a secondary means of access to abutting property.

10.12 "AUTOMOBILE COURT" OR "MOTEL" One or more detached or semi-detached buildings containing guest rooms or apartments with automobile storage space serving such rooms or apartments provided in connection therewith, which group is designed and used primarily for the accommodation of transient automobile travelers.

10.13 "BOARDING HOUSE" A dwelling other than a hotel where lodging and meals for three (3) or more persons is provided for compensation.

10.14 "BUILDING" Any structure having a roof supported by columns or by walls and designated for the shelter or housing of any person, animal, or chattel.

10.15 "BUILDING, ACCESSORY" A subordinate building, the use of which is incidental to that of the main building on the same lot and/or building site.

10.16 "BUILDING, MAIN" A building in which is conducted the principal use of the lot and/or building site on which it is situated.

10.17 "BUILDING SITE" A lot or parcel of land, in single or joint ownership, and occupied or to be occupied by a main building and accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required by the terms of this ordinance and having its principal frontage on a street, road, highway or waterway.

10.18 "BUSINESS, RETAIL" The retail sale or any article, substance, or commodity for profit or livelihood, conducted within a building but not including the sale of lumber or other building materials or the sale of used or second-hand goods

or materials of any kind.

10.19 "BUSINESS, WHOLESALE" The wholesale handling of any article, substance or commodity for the profit or livelihood, but not including the handling of lumber or other building materials or the open storage or sale of material or commodity, and not including the processing or manufacture of any product or substance.

10.20 "COMBINING DISTRICT" Any district in which the general district regulations are combined with "P" for the purpose of adding additional special regulations, i. e., "C-2 combined with "P" (C-2-P) adds the additional requirement of off-street parking.

10.21 "DISTRICT" A portion of the City within which certain uses of land and buildings are permitted or prohibited and within which certain yards and other open spaces are required and certain height limits are established for buildings, all as set forth and specified in this ordinance.

10.22 "DWELLING, SINGLE FAMILY". A building designed for, or used to house not more than one family, including all necessary employees of such family.

10.23 "DWELLING, TWO FAMILY OR DUPLEX." A building containing not more than two kitchens, designed and/or used to house not more than two families, living independently of each other, including all necessary employees of each such family.

10.24 "DWELLING, MULTIPLE." A building or portion thereof, used and designed as a residence for 3 or more families living independently of each other and doing their own cooking in said building, including apartment houses, apartment hotels and flats, but not including automobile courts, or boarding houses.

10.25 "DWELLING GROUP." A group of 2 or more detached or semi-detached, 1-family, 2-family, or multiple dwellings occupying a parcel of land in one ownership and having any yard or court in common, but not including automobile courts.

10.26 "FAMILY." One or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity or sorority house. A family shall be deemed to include necessary

servants.

10.27 "GARAGE" or "CAR PORT". An accessible and usable covered space of not less than 10x20 feet for storage of automobiles, such garage to be so located on the lot so as to meet the requirements of this ordinance for an accessory building, or if attached to the main building, to meet all the requirements applicable to the main building.

10.28 "GARAGE SPACE." An accessible and usable space of not less than eight (8) feet by twenty (20) feet for the parking of automobiles off the street, such space to be so located on the lot so as to meet the requirements of this ordinance for an accessory building.

10.29 "HEIGHT OF BUILDINGS." The vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

10.30 "HOTEL" Any building or portion thereof containing six (6) or more guest rooms used, designed or intended to be used, let or hired out to be occupied, or which are occupied by six (6) or more individuals for compensation, whether the compensation for hire be paid directly or indirectly.

10.31 "JUNK YARD". The use of more than 100 square feet of the area of any lot, for the storage of junk, including scrap metals, salvage or other scrap materials, or for the dismantling or "wrecking" of automobiles or other vehicles, or machinery, whether for sale or storage.

10.32 "LOT" See Building Site.

10.33 "NON - CONFORMING USE." A use that does not conform to the regulations for the district in which it is situated.

10.34 "PARKING SPACE" An accessible and usable space on the building site at least eight (8) feet by twenty (20) feet, located off the street with access for the parking of automobiles.

10.35 "PROFESSIONAL OFFICE" An office for the conduct of any one of the following uses: Accountant, architect, attorney, chiropractor, civil engineer or surveyor's drafting office, collection agency, dentist, doctor, insurance office,

office, private ~~detective~~, real estate office, social worker, or similar use; but NOT the following uses: Advertiser, barber shop, contractor, pest control, pharmacy, veterinary, beauty parlor, funeral parlor.

10.36 "ROOMING HOUSE" See Boarding House.

10.37 "SIDE AND FRONT OF CORNER LOTS." For the purpose of this ordinance the narrowest frontage of a corner lot facing the street is the front, and the longest frontage facing the intersecting street is the side irrespective of the direction in which the dwelling faces.

10.38 "STREET." A public thoroughfare accepted by the City of El Paso de Robles, which affords principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley as defined herein.

10.39 "STREET LINE." The boundary between a street and property.

10.40 "STRUCTURE" Any thing constructed or erected, the use of which required location on the ground or attachment to something having location on the ground.

10.41 "STRUCTURAL ALTERATIONS." Any change in the supporting members of a building, such as bearing walls columns, beams or girders.

10.42 "TRAILER COURT." Land or premises used or intended to be used, let or rented for occupancy by or of trailers or movable dwellings, rooms or sleeping quarters of any kind.

10.43 "USE." The purpose for which land or premises of a building thereon is designed, arranged, or intended or for which it is, or may be occupied or maintained.

10.44 "USE - ACCESSORY." A use incidental and accessory to the principal use of a lot or a building located on the same lot.

10.45 "YARD." An open space other than a court on the same lot with a building, which open space is unoccupied and unobstructed from the ground upward, except as otherwise permitted in Section 6.5.

...this or-
...easements, or by
...of law or ordinance, or the use of any build-
...district or districts, or the use of any build-
...enlargement of buildings, construction, moving
...restriction upon the erection, construction, moving
However, in cases in which this ordinance imposes a greater rest-
intended by this ordinance, covenant or other agreement between parties.
...any easement, or enlargement of any building or improvement. It is not
...to the erection, construction, establishment, moving, alteration, or
...issued, or which shall be adopted or improved or altered, or any rule,
...or any rules, regulations or permits previously adopted or
...or interfere with any existing provision of law or ordinance, or in any way
...of this ordinance to repeal, abrogate, annul, or in any way
...impair or interfere with any existing provision of law or ordinance, or in any way
...as specifically herein provided, it is not intended by the adoption of this ordinance
...health, safety, comfort, convenience and general welfare. Except
...minimum requirements adopted for the promotion of the public
the provisions of this ordinance, they shall be held to be the

SECTION 10.51 INTERPRETATION

extending from the front line of the lot to the rear yard.
side line of the lot and the nearest line of the building and
of the lot and the nearest line of the building and
across the full width of the lot and measured between the
Plan Line to the nearest line of the building.
10.47 "YARD - REAR." A yard shall be taken from the
such measurement shall be taken from the rear line
building; provided that the measurement shall be taken from the

2.3 No building or structure shall be erected, reconstructed or structurally altered in any manner, nor shall any building or land be used for any purpose other than as permitted by and in conformance with this ordinance and all other ordinances, laws and maps referred to therein.

SECTION 3.

DISTRICTS ESTABLISHED

The several districts established are as follows:

Residential Agriculture District or R-A District

Single Family Residential District or R-1 District

Duplex Residential District or R-2 District

Multiple Family District or R-3 District

Multiple Family and Professional District or R-4 District

Hiway Frontage District or R-4-H District

Neighborhood Commercial District or C-1 District

Central Commercial District or C-2 District

Heavy Commercial District or C-3 District

Planned Industrial District or P-M District

Industrial District or "M" District

Combining Off-Street Parking District or "P" District

Combining Lot Size District or "B" District

3.2 The designations, locations and boundaries of the districts established are delineated upon the map entitled "Zoning Map for the City of El Paso de Robles, California" dated August 3, 1959, which map and all notations and information thereon are hereby made a part of this ordinance and shall be cited as Section 3.2 hereof. Any land within the incorporated limits of the City of El Paso de Robles, now or in the future, and not designated or indicated as any other district on the zoning map shall be immediately zoned pursuant to the Master Land Use Plan of said City. In the interim period, between annexation and actual zoning of the property, the Planning Commission may grant permits for use conforming to the Land Use Plan. Conditions of the Use Permit shall include yard, height, lot area and parking requirements of the zoning district herein most closely conforming to the Land Use Plan.

10.6 ENFORCEMENT, PENALTIES AND
LEGAL PROCEDURE.

10.61 All departments, official and public employees of the City of El Paso de Robles, vested with the duty or authority to issue permits or licenses shall conform to the provisions of this ordinance, and shall issue no permit or license for uses, buildings, or purposes in conflict with the provisions of this ordinance; and any such permit or license issued in conflict with the provisions of this ordinance shall be null and void. It shall be the duty of the Building Inspector of the City of El Paso de Robles to enforce the provisions of this ordinance pertaining to the erection, construction, reconstruction, moving, conversation, alteration or addition to any building or structure.

10.62 Any person, firm, or corporation, whether as principal, agent, employee or otherwise, violating or causing the violation of any of the provisions of this ordinance, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not more than \$500.00 or by imprisonment in the City Jail of the City of El Paso de Robles, or County Jail of the County of San Luis Obispo for a term not exceeding 180 days, or by both such fine and imprisonment. Such person, firm or corporation shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of this ordinance is committed or continued by such person, firm or corporation, and shall be punishable as herein provided.

10.63 Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this ordinance, and any use of any land, building or premises established, conducted, operated or maintained contrary to the provisions of this ordinance shall be, and the same is hereby declared to be, unlawful and a public nuisance; and the City Attorney of said City shall, upon order of the City Council, immediately commence action or proceedings for the abatement and removal and enjoinder thereof in the manner prescribed by law, and shall take such other steps and shall apply to such courts as may have jurisdiction to grant such relief as will

abate and remove such building or structure, and restrain and enjoin any person, firm corporation from setting up, erecting, building, maintaining or using any such building contrary to the provisions of this ordinance.

10.64 The remedies provided for herein shall be cumulative and not exclusive.

SECTION 10.7

SEVERABILITY, NAME, ENACTING

10.71 If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

10.72 This ordinance shall be known and cited as the Zoning Ordinance of the City of El Paso de Robles, California.

SECTION 10.73

ENACTING

This ordinance shall take effect thirty (30) days after its passage, provided it has been published as herein required, and as required by law.

APPROVED

ss/ VERNON L. STURGEON
MAYOR

ATTEST:

ss/ S.S. TUCKER
CITY CLERK

I hereby certify that the foregoing ordinance was duly and regularly introduced at the regular meeting of the City Council of the City of El Paso de Robles held on the 25th day of May, 1959, and was duly and regularly passed and adopted by said City Council at a regular meeting thereof, held on the 3rd day of August, 1959.

VOTING FOR: COUNCILMEN: Leisy, Mandella, Poe, Smart and Sturgeon.

VOTING AGAINST: COUNCILMEN: None

ABSENT AND NOT VOTING: COUNCILMEN: None

ss/ S.S. TUCKER,
City clerk
City of El Paso de Robles, Calif.

ORDINANCE NO. 2340

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF EL PASO DE ROBLES FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY A PROPOSITION OF INCURRING A BONDED INDEBTEDNESS OF SAID CITY FOR THE ACQUISITION AND CONSTRUCTION AND COMPLETION OF CERTAIN MUNICIPAL IMPROVEMENTS; DECLARING THE ESTIMATED COSTS OF SAID MUNICIPAL IMPROVEMENTS, THE AMOUNT OF THE PRINCIPAL OF SAID INDEBTEDNESS TO BE INCURRED THEREFOR, AND THE MAXIMUM RATE OF INTEREST TO BE PAID THEREON; FIXING THE DATE OF SAID ELECTION, THE MANNER OF HOLDING THE SAME AND PROVIDING FOR NOTICE THEREOF

MUNICIPAL SWIMMING POOL

The City Council of the City of El Paso de Robles does ordain as follows:

WHEREAS, the City Council of the City of El Paso de Robles, by resolution passed and adopted at a regularly held meeting thereof on November 20, 1959, by a two-thirds vote of all its members, did determine that the public interest and necessity demand the acquisition and construction and completion of the municipal improvements hereinafter mentioned, that the said municipal improvements are necessary and convenient to carry out the objects, purposes and powers of the City, that the cost thereof will be too great to be paid out of the ordinary annual income and revenue of the City, and that the said indebtedness will require an expenditure greater than the amount allowed for it by the annual tax levy of the City.

NOW, THEREFORE, IT IS ORDERED, as follows:

1. A special municipal election is hereby called and ordered and will be held in the City of El Paso de Robles on Tuesday, the 26th day of January, 1960, at which election shall be submitted to the qualified voters of the City the question of incurring a bonded indebtedness by the City for the objects and purposes set forth in the following proposition, to wit:

PROPOSITION NO. 1
MUNICIPAL
SWIMMING POOL

Shall the City of El Paso de Robles incur a bonded indebtedness in the amount of \$150,000 for the acquisition, construction and completion of a municipal swimming pool together with bath houses, structures and facilities appurtenant thereto and the acquisition of all lands and easements necessary or useful therefor and by doing such incidental work as may be necessary to complete said improvements?

2. The estimated cost of the municipal improvements set forth in the proposition is the sum of \$150,000, which includes legal or other fees, the cost of printing the bonds and other costs and expenses incidental to or connected with the authorization, issuance and sale of the bonds, which is the amount of the principal of the indebtedness proposed to be incurred.

3. The City Council does hereby submit to the qualified voters at the said special municipal election this ordinance and the proposition set forth in Section 1 hereof. The City Council proposes to issue and sell bonds of the City in the amount and for the objects and purposes specified in the proposition if two-thirds of the qualified electors voting on the proposition vote for it.

4. If two-thirds of the qualified electors voting on the proposition vote for it, the proposition shall be deemed adopted. The bonds shall be negotiable in form and of the character known as serial, and shall bear interest at the rate not exceeding six percent (6%) per annum, payable semi-annually except that interest for the first year after the date of the bonds may be made payable at the end of said year.

5. The said special municipal election shall be held and conducted, the votes thereof canvassed, the returns thereof made, and result thereof ascertained and determined as herein provided; and in all particulars not prescribed by this ordinance the election shall be conducted as other city elections.

6. All persons qualified to vote at general municipal elections in said City upon the date of the election herein

provided for shall be qualified to vote upon the proposition submitted at the special municipal election.

7. There shall be two (2) precincts for said election, consisting of consolidations of Paso Robles County Election Precincts as last established by the Board of Supervisors of the County of San Luis Obispo for the conduct of State and County elections, their descriptions, the polling places designated therefor and the election officers to conduct said election are as follows:

Consolidated Election Precinct No. A shall include and consist of a consolidation of Paso Robles County Election Precincts Nos. 1, 2, 3, 5, 8, 12 and 13.

The polling place for said Consolidated Election Precinct and the election officers therefor are as follows:

Polling Place: Civic Auditorium
820 - 10th Street
Paso Robles, California

Inspector: Mr. Leo Oberg
Judge: Mrs. Luella Taylor
Clerk: Mrs. LaViolette Moss
Clerk; Mrs. Doris A. Smith

Consolidated Election Precinct No. B shall include and consist of a consolidation of Paso Robles County Election Precincts Nos. 4, 6, 7, 9, 10 and 11.

The polling place for said Consolidated Election Precinct and the election officers therefor are as follows:

Polling Place: Glen Speck School Office
18th and Vine Streets
Paso Robles, California

Inspector: Mr. Harry Edwards
Judge: Mrs. Anita Neufeld
Clerk: Mrs. Barbara Lewey
Clerk: Mrs. Sydney J. Godsey

8. Ballots for the election shall be provided of the form and to the number provided by law. On the ballots, in addition to any other printed matter which may be required by law, two voting squares shall be set off to the right of the proposition submitted at the election and set forth in Section 1 of this ordinance, one having the word "YES" printed before it and the other having the word "NO" printed before it.

9. Each voter to vote for the proposition and for incurring the bonded indebtedness shall stamp a cross (X) in the blank space opposite the word "YES" on the ballot to the right of the proposition, and to vote against the proposition and against the incurring of the indebtedness shall stamp a cross (X) in the blank space opposite the word "NO" on the ballot to the right of the proposition.

10. The polls shall be opened at 7:00 o'clock A. M. of the day of the Election and shall be kept open until 7:00 o'clock P.M. of the same day, when the polls shall be closed, except as to voters in line as provided in Section 5734 of the Elections Code.

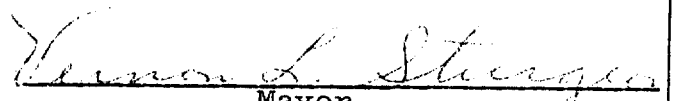
11. This ordinance is adopted pursuant to Article 1, comprising Sections 43600 to 43638, inclusive, of Chapter 4, Division 4, Title 4 of the Government Code of the State of California.

12. This ordinance shall be published once a week for two successive weeks in the Paso Robles Press, a newspaper of general circulation, printed and published less than six (6) days a week in the City, and such publication shall constitute notice of said election. No other notice of the election hereby called need be given.

13. This ordinance, being an ordinance calling and ordering an election, shall take effect immediately upon its adoption.

ATTEST:


City Clerk


Mayor

* * * * *

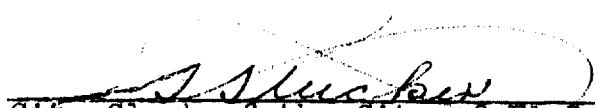
I hereby certify that the foregoing ordinance is a full, true and correct copy of Ordinance No. 229, N.S. of the City of El Paso de Robles, California, entitled as above, that it was introduced and adopted by the Council of said City at a regularly held meeting thereof on December 7, 1959, by the following vote:

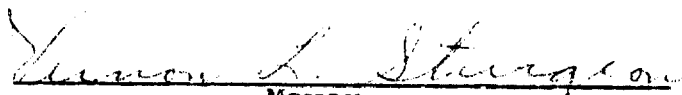
AYES, and in favor thereof, Councilmen: Leisy, Poe, Smart and Sturgeon

NOES, Councilmen: None

ABSENT, Councilmen: Mandella

APPROVED:


City Clerk of the City of El Paso
de Robles


Mayor

SECTION 6.

GENERAL PROVISIONS AND EXCEPTIONS.

6.1 The regulations specified for this ordinance shall be subject to the following general provisions and exceptions:

6.2 Uses:

6.21 No theatre, circus, carnival, amusement park, open air theatre, race track, private recreation centers, or other similar establishments involving large assemblages of people may be established in any district unless and until a use permit is first accrued for the establishment, maintenance and operation of such use.

6.22 No dance hall, road house, night club, commercial club, or any establishment where liquor is served, or commercial place of amusement or recreation, shall be established in any C-1 or C-2 District, unless a use permit shall first have been secured for the establishment, maintenance and operation of such use.

6.23 Accessory uses and buildings in any C or M District may be permitted where such uses or buildings are incidental to and do not alter the character of the premises in respect to their use for purposes permitted to the District. Such accessory buildings shall be allowed only when constructed concurrent with or subsequent to the main building.

6.24 The removal of minerals, earth and other natural materials may be permitted, providing a use permit shall first be obtained in each case.

6.25 Public utility distribution and transmission lines, both overhead and underground, shall be permitted in all districts without limitation as to height and without the necessity of first obtaining a zoning permit or a use permit; provided, however, that the routes of proposed electric transmission lines shall be submitted to the Planning Commission for approval and said approval shall be received prior to acquisition of rights-of-way therefore and any construction thereon.

6.26 Residential uses may be permitted in the C-2 and C-3 Districts when accessory and essential to the operation of uses permitted in such districts provided a Use Permit shall first be obtained.

6.27 Subject to first securing a Use Permit, the keeping of cows, horses, mules, burros, and sheep is permitted in any "R" District on parcels of land of not less than twenty thousand (20,000) square feet in area. Two adult animals may be kept on any twenty thousand (20,000) square foot parcel together with their immature offspring. An additional two adult animals and their immature offspring may be kept for each acre the parcel exceeds twenty thousand (20,000) square feet. Stables, corrals, and similar buildings incidental to the keeping of such animals are permitted provided that none shall be located nearer than one hundred (100) feet from the front lot line or fifty (50) feet to any existing dwelling. Anything to the contrary notwithstanding, the keeping of any animals, shall be in a neat, clean and sanitary manner; it is the intention that no nuisance, private or public be maintained.

6.3 Height Limits:

6.31 Chimneys, silos, cupolas, flag poles, monuments, gas storage holders, radio and other towers, water tanks, church steeples and similar structures and mechanical appurtenances may be permitted in excess of height limits provided a use permit is first obtained in each case, except as provided in Section 6.25.

6.32 No fence, hedge or screen planting of any kind shall hereinafter be constructed or grown to exceed six (6) feet in height unless required by law, within any required side yard to the rear of the front line of any dwelling or along any rear property line, nor to exceed three (3) feet in height along the property line to the front of any dwelling or within thirty-five (35) feet of the street corner on any corner lot.

6.4 Building Site Area:

6.41 Any lot or parcel of land under one ownership and of record thirty (30) days before the effective date of this ordinance, and where no adjoining land is owned by the same person, may be used as a building site even when of less area or width than that required by the regulations for the district in which it is located.

6.5 Yards:

6.51 Architectural features such as cornices, eaves and canopies may not extend closer than three (3) feet to any side lot line.

6.52 Open uncovered porches, landing places or outside stairways may project not closer than four (4) feet to any side lot line, and not exceeding six (6) feet into any required front yard.

6.53 Whenever an Official Plan Line has been established for any street required, yards shall be measured from such line and in no case shall the provisions of this ordinance be construed as permitting any encroachment upon any Official Plan Line.

6.54 In case an accessory building is attached to the main building, it shall be made structurally a part of, and have a common roof with the main building, and shall comply in all respects with the requirements of this ordinance applicable to the main building. Unless so attached, an accessory building in an "R" District shall be located on the rear one-half (1/2) of the lot and at least ten (10) feet from any dwelling building existing, or under construction on the same lot or any adjacent lot. Such accessory building shall not be located within five (5) feet of any alley or within one (1) foot of the side line of the lot, or in case of a corner lot, to project beyond the front yard required or existing on the adjacent lot.

6.55 Where four (4) or more lots in a block have been improved with buildings, the minimum required front yard shall be the average of the improved lots if less than the requirements herein.

6.56 On any parcel of land of an average width of less than fifty (50) feet, which was shown as a separate parcel, or shown as a lot on any subdivision map filed in the office of the County Recorder of the County of San Luis Obispo prior to the adoption of this ordinance, when the owner thereof owns no adjoining land, the width of each side yard may be reduced to 10% of the width of such parcel, but in no case to less than three (3) feet.

6.57 Every building or portion thereof which is designated or used for any dwelling purpose in any "C" District shall comply with the provisions of this ordinance as to side yards which are required in "R" Districts; provided that when the ground floor of any such building is used for any commercial purpose, no side, front or rear yard shall be required.

6.58 Special yards and distances for dwelling groups.

6.581 Distance between buildings in any dwelling group - minimum ten (10) feet.

6.582 Side Yard, providing access to single row dwelling group - minimum twelve (12) feet.

6.583 Inner Court, providing access to double row dwelling group - minimum twenty (20) feet.

6.584 See fire control regulations in Uniform Code.

6.6 ARCHITECTURAL CONTROL

6.61 In case an application is made for a permit for any building or structure in any "C" or "M" District, said application shall be accompanied by architectural drawings or sketches showing the elevations of the proposed building or structure and proposed landscape or other treatment of the grounds around such building or structure. Such drawings or sketches shall be considered by the Planning Commission in an endeavor to provide that the architectural and general appearance of such buildings or structures and grounds be in keeping with the character of the neighborhood and such as not to be detrimental to the orderly and harmonious development of the city, or to impair the desirability of investment or occupation in the neighborhood.

6.62 The Planning Commission may appoint an Architectural Committee of three of its members.

6.63 The Architectural Committee shall have authority to approve architectural sketches within the meaning Section 6.6 of this ordinance.

6.64 In case the applicant is not satisfied with the decision of the Architectural Committee, he may within fifteen (15) days after such action appeal in writing to the Planning Commission. The Architectural Committee may, if it deems it advisable, refer any application for architectural approval to the Planning Commission for its decision.

6.65 In case the applicant is not satisfied with the action of the Planning Commission, he may within thirty (30) days appeal in writing to the City Council, and said Council shall render its decision within thirty (30) days after the filing of such appeal.

6.66 No permit shall be issued in any case hereinabove mentioned until such drawings and sketches have been approved by the Planning Commission or by the City Council in the event of appeal from the Planning Commission, and all buildings, structures and grounds shall be in accordance with the drawings and sketches.

6.7 NON-CONFORMING USES:

6.71 The lawful use of land existing at the time of the adoption of this ordinance, although such use does not conform to the regulations herein specified for the district in which such land is located, may be continued, provided that no such use shall be enlarged or increased, nor be extended to occupy a greater area than that occupied by such use at the time of the adoption of this ordinance, and that if any such use ceases the subsequent use of such land shall be in conformity to the regulations specified by this ordinance for the district in which such land is located.

6.72 The lawful use of building existing at the time of the adoption of this ordinance may be continued, although such use does not conform to the regulations specified for the district in which the building is located.

6.73 The non-conforming use of a portion of a building may be extended throughout the building, provided that in each case a use permit shall first be obtained.

6.74 The lawful use of land existing at the time of adoption of this ordinance within any district providing for such use and which use occupies a site smaller than the minimum site required may be enlarged, provided that all other requirements are met within the area of enlargement and a use permit shall first be obtained.

6.75 The non-conforming use of a building may be changed to a use of the same or more restricted nature, provided that in each case a use permit shall first be obtained.

6.76 If the non-conforming use of a building and/or operations within a building ceases for a continuous period of one (1) year, it shall be considered abandoned and shall thereafter be used only in accordance with the regulations for the district in which it is located.

6.8 NON-CONFORMING BUILDING:

6.81 A non-conforming building damaged or destroyed by fire, explosion, earthquake or other act to an extent of more than fifty (50) percent of the fair market value thereof, according to a competent appraisor, may be restored only if made to conform to all the regulations of the district in which it is located. Such building may be restored to a total floor area, not exceeding that of the former building, if a use permit is first secured in each case, where the damage did not exceed 50%.

6.82 Ordinary maintenance and repairs may be made to any non-conforming building, providing no structure alterations are made and providing that such work does not exceed fifteen (15) percent of the fair market value in any one (1) year period. Other repairs or alterations may be permitted provided that a use permit shall first be secured in each case.

6.83 Nothing contained in this ordinance shall be deemed to require any change in the plans, construction or designated use of any building for which a building permit has properly been issued, in accordance with the provisions of ordinances then effective and upon which actual construction has been started prior to the effective date of this ordinance, provided that in all such cases actual construction shall be diligently carried on until completion of the building.

SECTION 7

PERMITS, VARIANCES AND AMENDMENTS

7.1 ZONING PERMITS:

7.11 Zoning permits shall be required for all buildings and structures hereinafter erected, constructed, altered, repaired or moved within or into any district established by this ordinance, and for the use of vacant land or for a change in the

character of the use of land within any district established by this ordinance, except as provided in Section 6.25.

7.2 USE PERMITS:

7.21 Use Permits, revocable, conditional or valid for a term period may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this ordinance.

7.3 Application:

7.31 Application for use permit shall be made to the Planning Commission in writing on a form prescribed by the Planning Commission and shall be accompanied by plans and elevations necessary to show the detail of the proposed use of building. Such application shall be accompanied by a fee of five (\$5.00) dollars.

7.4 Public Hearings:

7.41 No public hearing need be held thereon, provided that the Planning Commission may hold any hearings as it deems necessary.

7.42 In case a public hearing is deemed necessary, a notice of such hearing shall be given as follows: Not less than five (5) days prior to such hearing there shall be mailed, postage prepaid, a notice of the time and place of such hearing to all persons whose names and addresses appear on the latest adopted tax roll of the county within which the property concerned is located, or as known to the City Clerk, as owning property within a distance on not less than 300 feet from the exterior boundaries of the area actually occupied, or to be occupied by the use which is the subject of the hearing.

7.5 ACTION BY THE COMMISSION

7.51 In order to grant any use permit, the findings of the Planning Commission shall be that the establishment, maintenance or operation of the use of building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.